

1 JUSTICE COURT, LAS VEGAS TOWNSHIP
2 CLARK COUNTY, NEVADA

FILED

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4 **IN THE ADMINISTRATIVE MATTER**
5 **REGARDING FEE WAIVER REQUESTS**
6 **RELATING TO E-FILING**

ADMINISTRATIVE ORDER 11-09
JUSTICE COURT
LAS VEGAS NEVADA
BY _____
DEPUTY

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8 **WHEREAS**, NRS 12.015 sets forth a procedure by which an “indigent” person can
9 apply to the Court for the waiver of fees; and

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12 **WHEREAS**, the statute does not define “indigency”; and

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14 **WHEREAS**, determinations of “indigency” need to be consistent when made in
15 conjunction with the costs relating to e-filing; and

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18 **WHEREAS**, determinations of “indigency” need to be made quickly in order to alleviate
19 delays in the e-filing process; and

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21 **WHEREAS**, the Court has determined that the Civil Division should be empowered to
22 make presumptive determinations of “indigency” based upon a specific, clear set of guidelines;
23 therefore,

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26 **IT IS HEREBY ORDERED** that the Civil Division may classify an individual as
27 presumptively “indigent,” and the Civil Division may grant that individual’s written fee-waiver
28 request, if the individual falls within any of the following categories:

1 (1) The individual receives "public assistance," as that term is defined in NRS
2 422A.065¹;

3 (2) The individual resides in "public housing," as that term is defined in NRS 315.021²;

4 (3) The individual has a household income that is less than 200% of the federally
5 designated level signifying poverty, as set forth in the following chart:

Number of Persons in Family	Household Income
1	\$21,780
2	\$29,420
3	\$37,060
4	\$44,700
5	\$52,340
6	\$59,980
7	\$67,620
8	\$75,260
For each additional person, add. \$7,640

12 (4) The individual is incarcerated pursuant to a sentence imposed upon conviction of a
13 crime; or

14 (5) The individual is housed in a public or private mental health facility.

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17 ¹ **NRS 422A.065. "Public assistance" defined.**

- 18 1. "Public assistance" includes:
- 19 (a) State Supplemental Assistance;
 - 20 (b) Temporary Assistance for Needy Families;
 - 21 (c) Medicaid;
 - 22 (d) Food Stamp Assistance;
 - 23 (e) Low-Income Home Energy Assistance;
 - 24 (f) The Program for Child Care and Development;
 - 25 (g) Benefits provided pursuant to any other public welfare program administered by the Division
26 pursuant to such additional federal legislation as is not inconsistent with the purposes of this
27 chapter; and
 - 28 (h) Benefits provided pursuant to any other public welfare program administered by the Division
of Health Care Financing and Policy pursuant to chapter 422 of NRS.
2. The term does not include the Children's Health Insurance Program.

24 ² **NRS 315.021. Definitions.**

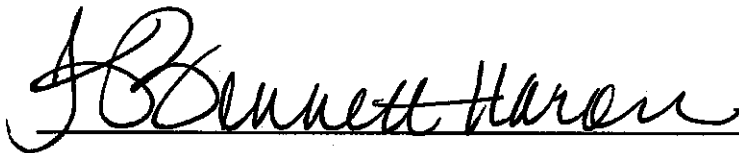
As used in NRS 315.021 to 315.071, inclusive, unless the context otherwise requires:

- 25 1. "Housing authority" means a housing authority created pursuant to this chapter. The term includes a
26 regional authority formed pursuant to NRS 315.7805.
- 27 2. "Landlord" means a person who owns or manages any premises that he or she rents or leases to a tenant
28 pursuant to a contract with a housing authority.
- 3. "Premises" means a particular apartment or other residential unit of public housing occupied by a tenant,
or a residential unit that is occupied by a tenant pursuant to a federally assisted housing program
administered by a housing authority.
- 4. "Public housing" means the residential accommodations operated by a housing authority or a landlord.

1 **IT IS FURTHER ORDERED** that this Administrative Order shall not be construed to
2 prevent a justice of the peace from considering the particular circumstances of an individual, in
3 the event that the individual does not meet the presumptive "indigency" guidelines set forth
4 above.

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7 **IT IS HEREBY ORDERED** that this Order shall become effective immediately.

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9 Dated this 22nd day of August, 2011.

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14 **Karen Bennett-Haron, CHIEF JUSTICE OF THE PEACE**